IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1225 OF 2006

Dr. Hemlata Umesh Kakde.] ..Petitioners

Vs.

1. State of Maharashtra & 2 ors.] ..Respondents

Mr. N.V. Bandiwadekar for the petitioner.

Mr. M.D. Naik, AGP, for the respondents.

CORAM : F.I. REBELLO,
ANOOP V. MOHTA, JJ.

DATED : 27TH APRIL, 2006

P.C.

. Rule. Heard forthwith.

2. It is a case of the petitioner that she has been working for the last two years i.e. since June 2004 and the respondents are seeking now to replace the petitioner by another ad-hoc employee. It is now well settled that an ad-hoc employee cannot be replaced by another ad-hoc employee. In the instant case, petitioner has continued for almost two years and in these circumstances, ordinarily the petitioner should be continued till such time as regular candidate is selected, unless respondents have material on record to

indicate that the petitioner is unfit and/or such like consideration.

2. In the light of the above, we direct the respondents to continue the petitioner till such time as regular candidate becomes available, unless the petitioner is otherwise unfit, for reasons to be recorded by the respondent, to continue in the post.

3. Rule made absolute accordingly. There shall be no order as to costs.

. All parties to act on a copy of this order, authenticated by the Associate of this Court.

Sd/-
[F.I. REBELLO, J.]

Sd/-
[ANOOP V. MOHTA, J.]